

RECORDS AND CORRESPONDENCE

STATIN

CIA RECORDS DESTRUCTION POLICY

STATINTL

Rescission:  dated 7 September 1976

1. Federal law provides criminal sanctions against the unauthorized destruction of records. This notice informs each employee of the requirements that must be fulfilled before Agency records legally can be destroyed.

2. By law, the Archivist of the United States must approve Standard Form 115, Request for Records Disposition Authority, prior to the destruction of Federal records. The CIA Records Management Officer in coordination with other Agency officials is responsible for ensuring that CIA records are properly maintained and destroyed. A procedure has been established to routinely approve destruction of inactive records in the Agency Records Center. Before destroying records in the office, however, each employee, in coordination with the component Records Management Officer, must determine that the records are covered by an approved Form 139, Records Control Schedule, which is a more detailed version of SF 115. Although Form 139 provides the basic authorization to destroy Federal records, other factors bear equally on the decision to destroy CIA records. These factors include legislation such as the Freedom of Information Act and the Privacy Act, litigation such as Federal antitrust suits and personal lawsuits, and official investigations of the Agency. Therefore, before destroying any Agency records, whether on paper, magnetic tape, film, or other recording media, a determination must be made that there are no pending legal or investigative requirements for their retention. If there is any question concerning destruction, prior approval should be requested from the CIA Records Management Officer through your component and directorate Records Management Officer.

3. The following approval and clearance authorizations must be obtained before any CIA records are destroyed:

a. The Archivist of the United States must approve SF 115, Request for Records Disposition Authority, authorizing disposal of the records.

b. Currently, copies of SF 115 and Form 139, Records Control Schedule, are reviewed and cleared by the Senate Select Committee on Intelligence and the House Select Committee on Assassinations. (For informational purposes, copies of these forms are also provided to the Government Information and Individual Rights Subcommittee of the Committee on Government Operations.)

c. A determination must be made that the records are not currently subject to litigation or possible litigation, are not under investigation by the Executive, Legislative, or Judicial

STATINTL

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Branches of the Federal Government, and are not related to Freedom of Information Act or Privacy Act requests to the Agency. For inactive records deposited in the Agency Records Center, determination will be obtained by sending Form 141, Notification of Disposition Action for approval through the controlling component to the Records Administration Branch, Information Systems Analysis Staff. The Agency Records Management Officer will obtain the concurrence of the General Counsel, Legislative Counsel, Inspector General, and Information and Privacy Coordinator (Chief, Information and Privacy Staff, DDA) prior to approving the actual destruction of such records. A similar clearance procedure will be followed for office records that raise any question as to actual or potential legal or investigative requirements.

d. Extra copies of documents preserved only for convenience of reference or for distribution stocks of publications may be destroyed when no longer needed.

4. Questions on the implementation of this policy should be directed to your component Records Management Officer.

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Deputy Director of Central Intelligence

DISTRIBUTION: ALL EMPLOYEES

STATINTL

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Next 2 Page(s) In Document Exempt

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